

Notice of Allowability

Application No.

10/065,353

Examiner

Cheukfan Lee

Applicant(s)

CHANG ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed May 1, 2006.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


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1. All pending claims 1-22 are allowed. Claims 1, 10 and 19 are independent.
2. In the months of May and June of 2006, the examiner and Attorney Michael J. Willardson have had several telephone conversations regarding the improper foreign priority claim (or the defect thereof) filed with the Combined Declaration and Power of Attorney filed October 8, 2002. According to Mr. Willardson, a petition will be/may be filed in order to correct the defect of the foreign priority claim.

Mr. Willardson was informed that an Office Action will be given if no petition is filed by the end of the response period for the examiner to act on the application. No petition has been recorded as of the date of this Office Action, which is near the end of the examiner's response period.

3. The following is an examiner's statement of reasons for allowance:

Claim 10 has been amended to set an antecedent basis for the term "the guiding mechanism" to overcome the objection of claims 11 and 12 because of the lack of antecedent basis. Claims 11 and 12 depend on claim 10.

Reasons for allowance for claims 1, 10 and 19 and their dependent claims given in the previous Office Action dated February 27, 2006 are still valid after the updated search for the amended independent claims 1, 10 and 12. The reasons are slightly modified in accordance with the amendment and repeated below.

Claim 1 is allowable over the prior art of record because the prior art, including Chen (6,707,582), Tsai et al. (6,392,762), Tsai et al. (6,381,043), and Tsai (6,728,011),

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does not teach an image addressing device comprising the plurality of geometric patterns located on an enclosure of a scanner, the comparator, AND gate circuit and counter as claimed, wherein the geometric patterns have a color scale different from a background color of the enclosure of the scanner, each of the geometric patterns comprises a plurality of rows of pixels, and each row of pixels includes a number of pixels variable along a moving direction of the guiding device of the scanner. The closest prior art at Chen (6,707,582), Tsai et al. (6,392,762), Tsai et al. (6,381,043), and Tsai (6,728,011) disclose a pattern or patterns similar to those claimed, but they do not disclose the claimed comparator, AND gate circuit and counter in combination with the patterns and the claimed image extraction convert. See Figs. 3-5 of Chen (6,707,582), Figs. 4-6F of Tsai et al. (6,392,762), Figs. 4-6G of Tsai et al. (6,381,043), and Figs. 5-7 of Tsai (6,728,011).

Claim 10 claims limitations similar to those of claim 1, except that the image extraction converter is adapted to extract one of the rows of pixels and converts the row of pixels into a series of digital signals, as opposed to a series of analog signals of claim 1, and the comparator and counter work with the digital signals as opposed to analog signals of claim 1. The geometric patterns as defined in claim 10, in combination with the image extraction converter, the comparator and counter, are not taught by the prior art of record, including Chen (6,707,582), Tsai et al. (6,392,762), Tsai et al. (6,381,043), and Tsai (6,728,011) mentioned above.

Claim 19 defines the geometric patterns a little bit differently from the patterns of claims 1 and 10, i.e., the geometric patterns are defined to have a color scale different from a background color of the scanner enclosure, each of the patterns comprising a plurality of rows of pixels and having the same maximum row width and the maximum length. The geometric patterns in combination with the claimed image extraction converter, pixels row counter, interpolation counter, and zone counter is not taught by the prior art of record, including Chen (6,707,582), Tsai et al. (6,392,762), Tsai et al (6,381,043), and Tsai (6,728,011) mentioned above.

Claims 2-9 depend on claim 1. Claims 11-18 depend on claim 10. Claims 20-22 depend on claim 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
July 6, 2006

A handwritten signature in black ink, appearing to read 'Cheukfan Lee', is written over a printed name of the same person.